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COOK COUNTY JOURNAL

March 27, 1997

VIA HAND DELIVERY

Timothy Peterson, Esquire
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W. Room 500
Washington, D.C. 20554

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MAR 27 1997

**Federal Communications Commission
Office of Secretary**

Re: In the Matter of Petition of Ameritech for Modification of
Certain LATA Boundaries in Ohio
CC Docket 96-159

Dear Mr. Peterson:

The Western Reserve Telephone Company ("Western Reserve") respectfully requests the Commission's urgent attention to, and grant of, the referenced pending request of Ameritech for a LATA boundary adjustment which would permit Ameritech to terminate in its Akron, Ohio exchange one-way extended local calling from Western Reserves' subscribers in the Twinsburg, Northfield, and Aurora, Ohio exchanges. Approximately 52,600 Western Reserve subscribers will benefit from a grant of this request.

The determination that the described extended local calling would serve the public interest was made by the Public Utilities Commission of Ohio ("Ohio PUCO") in March of 1995, and Ameritech was ordered and did, in fact, file a petition for the LATA boundary modification with the Department of Justice. However, this request had not been acted on when the Telecommunications Act of 1996 was passed and the Ohio PUCO, on October 24, 1996, directed Ameritech to file within 20 days the referenced LATA modification request with the FCC. This was done on November 12, 1996, and the Petition appeared on FCC Public Notice released January 15, 1997. No oppositions to this request were filed. Indeed, the grant of the request was supported by the Ohio PUCO, the Mayor of Macedonia, Ohio, and Western Reserve. The need for timely action on this request before April 1st was specifically addressed in Western Reserve's Comments to the Commission on January 30, 1996, a copy of which is attached.

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March 27, 1997

As we have discussed, despite its best efforts, Western Reserve is caught in a very difficult and unfair position. Specifically, we have been prepared since 1995 to provide the needed expanded local calling service from our three exchanges to Ameritech's Akron, Ohio exchange, but we have been unable to do so, either because of the requirement that Ameritech obtain prior judicial or regulatory approval of the LATA modification. Further, we are now faced with a \$150,000 assessment from the Ohio Commission if this service cannot be provided to our subscribers by April 1st.

We believe that good cause exists for the Commission's expeditious action on the Ameritech Petition. There is no disagreement that the extended local calling service to Western Reserve's subscribers is in the public interest and needs to be provided. The only question is when. We do not foresee that the Ohio PUCO is likely to grant Western Reserve an extension of the April 1st compliance date because that date is part of a stipulation between various parties in Ohio relating to the approval of alternative regulation for Western Reserve, and the time simply does not exist for an extension request to be considered by all of the signatories to the stipulation.

While the Commission may ultimately act favorably on the LATA boundary modification, we believe that any delay beyond the April 1st date has not been shown to be in the public interest either to Western Reserve's subscribers or to Western Reserve itself because of the pending \$150,000 monetary assessment.

I appreciate all of your assistance in securing timely consideration of our request and will be glad to answer any further questions that you may have.

Respectfully submitted,



Carolyn C. Hill, Counsel for
The Western Reserve Telephone Company
655 15th Street, N.W.
Suite 220
Washington, DC 20005

Enclosures

cc: (w/encls.)
all parties of record

**STAMP
AND
RETURN**

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
Petition of Ameritech for Modification of)
Certain LATA Boundaries in Ohio)

CC Docket 96-155

RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
JAN 30 1997

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**COMMENTS OF THE
WESTERN RESERVE TELEPHONE COMPANY
IN SUPPORT OF CERTAIN ASPECTS OF
PETITION OF AMERITECH FOR MODIFICATION OF
CERTAIN LATA BOUNDARIES IN OHIO**

The Western Reserve Telephone Company ("Western Reserve"), in response to the Commission's Public Notice released January 15, 1997, hereby submits its Comments in the above-captioned proceeding. These Comments are in support of that portion of the Petition of Ameritech for Modification of Certain LATA Boundaries in Ohio ("the Petition") as it relates to Section III of the Petition captioned "One-way EAS from the Aurora, Northfield, and Twinsburg (Ohio) Exchanges of Western Reserve Telephone Company to Ameritech Ohio's Akron Exchange." Western Reserve is a local exchange telephone company certificated by the Public Utilities Commission of Ohio ("Ohio PUCO").

Western Reserve's Twinsburg and Northfield Exchanges are located in Summit County, Ohio and its Aurora Exchange is located primarily in Portage County, but with some portions of the Aurora Exchange located in Summit and Geauga Counties, Ohio (collectively, "Western Reserve Exchanges"). In connection with a proceeding before the Ohio PUCO that included, among other parties, the principal interexchange carriers operating in the area of the Western Reserve Exchanges, a stipulation that included the interexchange carriers, was reached that required Western Reserve to propose one-way EAS from the Western Reserve Exchanges to Ameritech Ohio's Akron exchange. Thereafter, Ameritech and Western Reserve filed a joint petition with the Ohio PUCO for approval of the one-way EAS. The Ohio PUC approved the one-way EAS and ordered its implementation. Copies of the Ohio PUCO's orders were attached to the Petition.

The proposed EAS from the Western Reserve Exchanges to the Ameritech exchange is all one-way into the territory of Ameritech. All of the EAS calls crossing from one LATA to another will be initiated by customers of Western Reserve and terminated in the Ameritech exchange. Western Reserve is not a Bell operating company and has never been subject to prohibitions against providing interLATA service.

In connection with the stipulation and order of the Ohio PUCO with regard to Western Reserve's provision of the one-way EAS, Western Reserve was directed to obtain approval and implement the EAS by April 1, 1997. If Ameritech is unable to obtain an appropriate ruling from the FCC allowing Western Reserve to implement and Ameritech to receive the one-way EAS by such date, Western Reserve's customers will

Ameritech to receive the one-way EAS by such date, Western Reserve's customers will be denied the benefits of the EAS and Western Reserve subjected to monetary penalties. The FCC's approval of Ameritech's petition in advance of April 1, 1997 is, therefore, essential.

In conclusion, Western Reserve supports the Petition of Ameritech with respect to the one-way EAS from the Western Reserve Exchanges and requests that this Commission promptly approve the institution of one-way EAS from the Aurora, Northfield and Twinsburg (Ohio) exchanges of Western Reserve to Ameritech's Akron exchange or, as requested by Ameritech, rule in the alternative, that no further approval is needed for one-way incoming EAS already authorized by a state commission.

Respectfully submitted,
The Western Reserve Telephone Company

By: Carolyn C. Hill
Carolyn C. Hill
Its Attorney

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Dated: January 30, 1997

CERTIFICATE OF SERVICE

I, Sondra Spottswood, certify that a copy of the foregoing Comments of Western Reserve Telephone Company was served on this 30th day of January, 1997, 1997, to the following persons, by U.S. first-class mail, postage prepaid, unless otherwise noted:

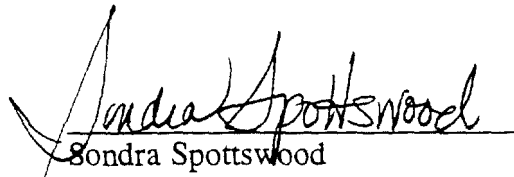
By hand delivery

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